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JUN 21 2007

IN THE UNITED STATE PATENT AND TRADEMARK OFFICE PATENT

In re application of: : Charles G. Heisinger, Jr.
For: : METHOD AND SYSTEM FOR
TELEPHONICALLY SELECTING,
ADDRESSING, AND DISTRIBUTING
MESSAGES
Serial No. : 09/545,088
Filing Date : April 7, 2000
Art Unit : 2172
Examiner : Jean B. Fleurantin
Attorney Docket No. : CGH 3001
Confirmation No. : 1969

REQUEST FOR REFUND UNDER 37 C.F.R. § 1.26(a)

Mail Stop 16 (Refund Requests)
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Applicant respectfully requests a refund in the amount of \$250.00.

This refund is requested because the PTO charged the \$250.00 small entity fee for a Notice of Appeal that was filed on May 17, 2007. This was a duplicate fee to this account since the above-identified application was already in Appeal and the original Notice of Appeal fee was previously charged on April 7, 2006.

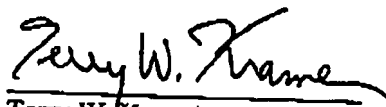
- 1 -

Application No.: 09/545,088
Attorney Docket No.: CGH 3001

Please disburse this refund to our Deposit Account Number 50-0578.

Respectfully submitted,
KRAMER & AMADO, P.C.

Date: June 21, 2007


Terry W. Kramer
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Fax Memo

TO: Mail Stop 16 (Refund Requests)
USPTO

FAX NO.: (571) 273-8300

FROM: Terry W. Kramer
KRAMER & AMADO, P.C.

DATE: June 21, 2007

SUBJECT: U.S. Patent Application
Title: **METHOD AND SYSTEM FOR TELEPHONICALLY
SELECTING, ADDRESSING, AND DISTRIBUTING
MESSAGES**
Serial No.: 09/345,088
Attorney Docket No.: CGH 3001

PAGES: INCLUDING COVER PAGE (4)

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Message: Submitted herewith are the following:

- Transmittal Form (1 page)
- Request for Refund (2 pages)

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APR 17 2007

PTO/SB/31 (08-03)
Approved for use through 07/31/2008. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number (Optional) CGH 3001	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on <u>5/17/07</u> Signature <u>Mark Woodall</u> Typed or printed name <u>Mark Woodall</u>		In re Application of Charles G. Heisinger, Jr.	
		Application Number 09/545,088	Filed April 7, 2000
		For METHOD AND SYSTEM FOR TELEPHONICALLY SELECTING, ADDRESSING, AND DISTRIBUTING MESSAGES	
Art Unit 2172		Examiner Jean B. Fleurantin	
Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.			
The fee for this Notice of Appeal is (37 CFR 1.17(b))		\$ 330.00	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:		\$ 165.00	
<input type="checkbox"/> A check in the amount of the fee is enclosed.			
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.			
<input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.			
<input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. <u>50-0578</u> . I have enclosed a duplicate copy of this sheet.			
<input type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.			
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.			
I am the		<u>Mark R. Woodall</u>	
<input type="checkbox"/> applicant/inventor.		Signature	
<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)		Mark R. Woodall	
<input type="checkbox"/> attorney or agent of record. Registration number _____		Typed or printed name	
<input checked="" type="checkbox"/> attorney or agent acting under 37 CFR 1.34(a). Registration number if acting under 37 CFR 1.34(a). <u>43,286</u>		703-519-9801	
		Telephone number	
		<u>5/17/07</u>	
		Date	
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.			

☒ *Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.191. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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05/22/2007 NGUYEN1 00000038 500578 09545000
01 FC:2401 250.00 DA

JUN 21 2007

PTO/SB/21 (09-08)

Approved for use through 03/31/2007. OMB 0851-0031
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/545,088
	Filing Date	April 7, 2000
	First Named Inventor	Charles G. Heisinger, Jr.
	Art Unit	2172
	Examiner Name	Jean B. Fleurantin
Total Number of Pages in This Submission	Attorney Docket Number	CGH 3001

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input checked="" type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm Name	Kramer & Amado, P.C.
Signature	<i>Terry W. Kramer</i>
Printed name	Terry W. Kramer
Date	June 21, 2007
Reg. No.	41,541

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:	
Signature	<i>Jimani Walden</i>
Typed or printed name	Jimani Walden
Date	June 21, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.16. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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TH AP/172

PTO/SB/31 (08-03)

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**NOTICE OF APPEAL FROM THE EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Docket Number (Optional)

CGH 3001

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Signature Mark Woodall

Typed or printed name Mark Woodall

In re Application of
Charles G. Heisinger, Jr.

Application Number
09/545,088

Filed
April 7, 2000

For **METHOD AND SYSTEM FOR TELEPHONICALLY SELECTING,
ADDRESSING, AND DISTRIBUTING MESSAGES**

Art Unit
2172

Examiner
Jean B. Fleurantin

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 1.17(b))

\$ **330.00**

☒ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:

\$ **165.00**

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 50-0578. I have enclosed a duplicate copy of this sheet.

☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96)

☐ attorney or agent of record.
Registration number _____

☒ attorney or agent acting under 37 CFR 1.34(a).
Registration number if acting under 37 CFR 1.34(a) 43,286

Mark R. Woodall
Signature
Mark R. Woodall
Typed or printed name
703-519-9801
Telephone number
5/17/07
Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☒ *Total of 1 forms are submitted.

Adjustment Date: 07/05/2007

05722/2007 NNGUYEN1 00000038 500578

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